

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Boards of Trustees of Ohio	:	
Laborers' Fringe Benefit	:	
Programs	:	
Plaintiff,	:	
v.	:	Case No. 2:07-cv-1287
John Steele, et al.,	:	JUDGE MARBLEY
Defendants.	:	

ORDER

Plaintiff has moved for a default judgment. Upon further review of the Court's records, the Court determines that the returns of service showing service of process on the defendants do not constitute affidavits of service as required by Fed.R.Civ.P. 4(1). They are not signed by anyone and there is no statement, either in the form of a sworn affidavit or declaration under penalty of perjury, from anyone verifying the information on the return. Consequently, the default was improperly entered, and that entry (#8) is VACATED. The Motion for Default Judgment (#9) is DENIED.

s/Algenon L. Marbley
Algenon L. Marbley
United States District Judge